

**SUPREME COURT MINUTES
TUESDAY, MARCH 3, 2009
SAN FRANCISCO, CALIFORNIA**

S048763**PEOPLE v. NELSON (SERGIO
DUJUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by March 5, 2010, counsel's request for an extension of time in which to file that brief is granted to May 5, 2009. After that date, only five further extensions totaling about 300 additional days are contemplated.

S057321**PEOPLE v. LOMAX (DARREL
LEE)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General David A. Voet's representation that he anticipates filing the supplemental respondents brief by May 2, 2009, counsel's request for an extension of time in which to file that brief is granted to May 4, 2009. After that date, no further extension is contemplated.

S058019**PEOPLE v. CONTRERAS
(GEORGE LOPEZ)**

Extension of time granted

Appellant's request for relief from default is granted.

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton's representation that she anticipates filing the appellant's reply brief by May 2010, counsel's request for an extension of time in which to file that brief is granted to April 20, 2009. After that date, only seven further extensions totaling about 390 additional days are contemplated.

S076337**PEOPLE v. CHARLES III
(EDWARD)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Peter Quon, Jr.'s representation that he anticipates filing the respondent's brief by April 27, 2009, counsel's request for an extension of time in which to file that brief is granted to April 27, 2009. After that date, no further extension is contemplated.

S077009**PEOPLE v. CARRASCO
(ROBERT)**

Extension of time granted

Good cause appearing, and based upon counsel Robert R. Bryan's representation that he anticipates filing the appellant's reply brief by October 2, 2009, counsel's request for an extension of time in which to file that brief is granted to April 21, 2009. After that date, only three further extensions totaling about 160 additional days are contemplated.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 5, 2009.

S091915**PEOPLE v. NUNEZ (DANIEL)
& SATELE (WILLIAM)**

Extension of time granted

On application of appellant William Tupua Satele and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to April 27, 2009.

S105097**PEOPLE v. DUFF (DEWEY
JOE)**

Extension of time granted

Good cause appearing, and based upon counsel Jonathan P. Milberg's representation that he anticipates filing the appellant's opening brief by August 19, 2009, counsel's request for an extension of time in which to file that brief is granted to May 5, 2009. After that date, only two further extensions totaling about 100 additional days are contemplated.

S112691**PEOPLE v. WESTERFIELD
(DAVID ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 1, 2009.

S166073**PIMENTEL (ALEJANDRO)
ON H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the Informal Response is extended to April 1, 2009.

S170533**GEREN (RANDY JAMES) v.
S.C. (PEOPLE)**

Order filed

The application of Real Party in Interest County of Butte for permission to file their informal response is hereby granted.

It is ordered that the time to serve and file their informal response is granted to and including March 16, 2009, the same date that the Attorney General's Informal Response is due.

A117329

First Appellate District, Div. 4

**BERRY (DYLAN) v.
TAGGART, JR., (WILLIAM
E.)**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Four to Division One.

1005455-09

The HONORABLE DENNIS M. PERLUSS, Presiding Justice of the Court of Appeal, Second Appellate District, Division Seven, is hereby assigned to assist the Supreme Court, as a justice thereof, on March 3, 2009, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

**SUPREME COURT MINUTES
TUESDAY, MARCH 3, 2009
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, March 3, 2009, at 9:00 a.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S149499 Bonnie Hernandez, As Administrator etc., et al., Plaintiff and Appellant,
v.
City of Pomona et al., Defendant and Respondent.

Cause called. Roger A. Colvin argued for Respondents.
Peter J. Keith, Office of the City Attorney, arguing in rebuttal, for Amici Curiae League of California Cities et al.
Danilo J. Becerra argued for Appellant.

Mr. Colvin replied.
Cause submitted.

S163430 Theresa Keener et al., Plaintiffs and Respondents,
v.
Jeld-Wen, Inc., et al., Defendants and Appellants.

Cause called. Paul D. Fogel argued for Respondents.
Jeff G. Harmeyer argued for Appellants.

Mr. Fogel replied.
Cause submitted.

Chief Justice Ronald M. George, not participating, in consideration of the following case, did not take the bench.

The Honorable Eileen C. Moore, Associate Justice, Court of Appeal, Fourth District, Division Three, sitting on the following case under assignment by the chairperson of the Judicial Council, joined the court at the bench.

S147345

In re Tobacco II Cases

Cause called. Mark P. Robinson, Jr., argued for Appellants.
Daniel P. Collins argued for Respondents.

Mr. Robinson replied.
Cause submitted.

Chief Justice Ronald M. George returned to the bench.

Court recessed until 1:30 p.m. on this date.

Court reconvened pursuant to recess.
Members of the court and officers present as first shown.

S159489

Cheryl Murphy, Plaintiff and Respondent,
v.
Roger Burch, Defendant and Appellant.

Cause called. Brian C. Carter argued for Respondent.
Thomas E. Owen argued for Appellant.

Mr. Carter replied.
Cause submitted.

S161044

The People, Plaintiff and Respondent,
v.
Gary Dean Story, Defendant and Appellant.

Cause called. Jeffrey M. Laurence, Office of the Attorney General, argued for Respondent.

J. Frank McCabe, Court-appointed Counsel, argued for Appellant.

Mr. Laurence replied.

Cause submitted.

S056425

The People, Respondent,

v.

Richard Allen Davis, Appellant.

Cause called. Phillip H. Cherney, Court-appointed Counsel, argued for Appellant.

Ronald Matthias, Office of the Attorney General, argued for Respondent.

Mr. Cherney replied.

Cause submitted.

Court recessed until March 4, 2009, at 9:00 a.m.